

Adamczyk

S.D. Federal Court of Illinois

United States District Court  
Southern District of Illinois

22-863-SMY

Lawrence Adamczyk (class action) Civil Action  
Plaintiff NO.

vs. Complaint

- Illinois Department of Corrections IDOC
  - Rob Jeffries Director of IDOC
  - Richard Morgenthau Warden of BMRCC
  - Administrators and Staff at IDOC Headquarters responsible for policy and decision making of wards of the State of Illinois
  - Administrators and all staff at BMRCC
  - Staff working under School District 423 at BMRCC and their Administrator in Springfield
  - Wexford Health Sources Inc.
  - All Wexford staff at BMRCC
- All named in both individually and official capacity.

Defendants

## I Jurisdiction AND Venue

1. This is a civil action authorized under 18 § 1595 to redress violations for Slavery / Involuntary Servitude ~~off~~ from any of the common law claims of 18 § 1584, 18 § 1589, 18 § 1590 (a)(b), 18 § 1592 (a)(c), 18 § 1593 (A) or/and 18 § 241, And Trafficking Victims Protection Act § 706, TVPA 22 § 7101 et seq., 18 § 1581 Perjury, 18 § 1951 Racketeering.

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## I Jurisdiction and Venue

- 2.) Part of this civil action authorized under 42 § 2000(c), 42 § 2000(d), 42 § 2000 a-6, 42 § 2000(e), 42 § 2000, 42 § 2000 d-7 And executive Orders No 13160 that extended coverage to Disability and more to redress equal access to the commissary for A non Involuntary servitude committed persons, Access to public education, And rights of employment Discrimination under 48 § 2000 d, 29 § 701, 29 § 201, 42 § 12111, 42 § 12112 Discrimination, 42 § 12131 42 § 1983, 42 § 1984, 42 § 1985<sup>12312</sup>, 42 § 1985(2)(3)
3. This Court has Jurisdiction UNDER 28 U.S.C. Section 1331 And 1343(a)(3). Plaintiff seeks Declaratory Relief pursuant to 28 U.S.C. ~~2201~~ Section 2201 And 2202. Plaintiff(s) Claims for injunctive relief Are Authorized by 28 U.S.C. 2283 And 2284 And Rule 65 of the Federal Rules of Civil Procedure.
4. The Southern District of Illinois is An appropriate Venue under 28 U.S.C. Section 1391(b)(2) because it is where the events giving ~~rise~~ rise to this claim occurred. Furthermore, the Complaint holds "Class Action Allegations"

## II Plaintiffs

5. Plaintiff Laurence Adamczyk And Class of Plaintiffs were At All times herein A WARD of ~~State~~ in the Guardianship  
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## II Plaintiffs (continued)

- b. of IDOC. Plaintiffs in confinement at Big Muddy River Correction Center BMRC

## III Defendants

7. IDOC is the State Agency Gives current Guardianship Per Section 3 of the Sexually Abusive Person Act, SAPA, 725 ILCS 205, but allows transferring to Any State Agency as it wishes.
8. Wexford Health Source Inc. is the medical contracted private corporation responsible for it employees at BMRC Actions thru policies of them and Respondent Superior. And with IDOC Policies
9. Rob Jeffries, Director of IDOC. He is legally responsible for making policies, seeing they get implemented and having a facility set aside ~~at BMRC~~ for the wards of the State in his Guardianship.
10. Richard Margenthaler, Warden at BMRC, He is legally responsible for the operation at BMRC and the wards of the State, W of S, ~~and not~~ make sure <sup>wards are not</sup> treated like Involuntary Servitude convicts thru Discretionary policies of IDOC. AS "Head" Guardian on site that UTMOST CARE and

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## III Defendants continued

Utmost Treatment is given the W of S. He is responsible for set Asile facilities by Direct policy at

11. Other Administrators And All other Staff <sup>at BMCC</sup> have a part in carrying out proper care, treatment, safe keeping of W of S in their duties to make sure they are NOT subjected to Any Involuntary Servitude threatening, scheme designed policies in Use At BMCC for the convicted. They all have a fiduciary Statutory Duty to Act on behalf of the W of S by reporting Any Neglect Acts of Staff towards A WARD of the State to the Administrative Court, And other State Agencies, like police.

12. Administrative And Staff <sup>at IDCC</sup> Also own A duty in fulfilling their Job Duties to BMCC to the W of S then by statutory fiduciary owning the Utmost Care in making to the Public And All other Staff and creating policies for

13. Wexford Staff All employed working At BMCC own A Higher standard to W of S At BMCC to their medical Health care needs because of the imprisonment of the Plaintiff's <sup>who are</sup> W of S

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### III Defendants (continued)

13 (A) Wexford Health Care Services Inc.

As respondent Superior And/or Policy maker to their staff AND A Corporation as an entity itself Need to recognize the Big Difference of an institutionalized convict and W of S at large By Policy Directive. The SOA Law As well as Federal Laws Require Affirmative Duties Placed on Healthcare Corporations that end suffering and Pain of Institutionalized persons who are not Institutionalized chattel reduce rights persons.

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## III Defendants (continued)

13.  
cont'

mental illness or developmental Disability needs,  
As Court Adjudicated need, knowing they  
Are Not sentenced meaning Testamentary Servitude  
chattel assault level of medical care is NOT  
Allowed, ~~as~~ AS medical staff they have the  
Utmost chance to relieve the pain and suffering  
As quickly as possible for a W of S. Involuntarily  
and by policy should report neglect to proper  
care that can lead to Health issues. like being at  
clothing and proper shelter.

14.

The School staff at BMRCC and person  
in Charge at Springfield for IDCC "School  
District 423" Have no Statutory Fiduciary  
Duty to the Plaintiff and ALL WARDS of the State  
at BMRCC to getting a public education  
to the highest level they desire, can achieve.  
For some wards this would entail Special  
educational classes to graduate school of  
elementary or secondary; <sup>past</sup> others getting them into  
financially and program ~~was~~ Post-secondary Public  
Higher institutions in Illinois. This also includes  
Access to the Law Library / Library. The Statute  
mandates A Facility set aside for the Adjudicated  
mental Handicapped. That include word processors  
for their use among other things. Also Pens Not Sec Pens.



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### III Defendants (continued)

15. Each defendant is sued individually and in their official capacity. At all times in this Complaint each defendant is presumed to know the laws. And while some claims are based off constitutional law violations that may be ~~seen~~ seen as acting under the color of the law. The proper different legal theory is ~~is~~ acted by abusing the law applies to all defendants. to the torts of 18 § criminal violations especially.
16. The Jurisdictional civil actions and Defendants Abuse of the law(s) is by virtue of the 13<sup>th</sup> Amendment incorporation of the 1<sup>st</sup> Amendment and 9<sup>th</sup> Amendment to liberty and rights of each. OR also virtue of the 1<sup>st</sup> Amendment and 9<sup>th</sup> Amendment. This sentence may be better placed in the Fact section or legal claims

### IV Facts (A) TO All claims

17. IDOC's BMRC facility design by Building living spaces (Physical and Policies of IDOC's defined "Facilities" are done to hold its convicted felons of the State Courts to Involuntary Servitude as punishment after a duly criminal conviction allowed by the 13<sup>th</sup> Amendment. Almost all basic rights, human rights, civil rights, certain rights are either denied or displayed

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IV FACTS (A) To all claims (continued)  
by Arbitrary policies and Arbitrarily discretionary  
use of them to chattel a convicted person into a "State"  
For W of S this is illegal

18. WARDS of the State, Lawrence Adamczyk, the plaintiffs  
Are NOT criminally convicted, but instead  
under the doctrine of Parens Patriae, civilly  
committed NOT AS sentenced criminal felons  
but Statutory fiduciary WARDS of the State at BMRC.
19. WARDS of the State under the SDPA All have  
been Adjudicated by the Administrative Circuit  
Court to have a mental illness and/or  
mental developmental disability
20. Section 8 of SDPA puts The WARD of the State  
into "Ill" guardianship Noting the facility must  
~~not~~ be Set Aside for the proper safe keeping,  
And to effect recovery the proper care along  
with the proper treatment must be given to an Utmost.
21. While the SDPA is Invalid and Unconstitutional,  
this lawsuit is about the Defendants wrongs,  
injuries, pain and suffering against mentally ill  
and/or developmentally disabled W of S at BMRC.



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## IV Facts (A) to all claims (continued)

22. There are over 1400 criminally convicted held for slavery/involuntary servitude punishment at BMRCC
23. There are around 158 WotS, known as SOP's<sup>2</sup> by word of mouth, at BMRCC, who are civilly placed
24. Both numbers change for convicts they have attacks, transfers, natural deaths or slave enhanced death at IDOC. The WotS have an occasional release by courts, natural deaths and the illegal involuntary scheme (Policies) that lead to unnecessary deaths at BMRCC one close to death on bread while Welford and Iva staff were present.
25. These deaths occurred because of the involuntary servitude policies of celling as opposed to "rooming" and checking to death because of slave like rules to bringing dietary food back to your cell Both Welford, Iva, and staff at Big Maddy each contributed to the deaths of Billy Y Mark Turner, and Thomas Hacker

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### IV Facts (A) to Allchins (continued)

26. While Around 1400 convicts exist and 150 W of S exist at BMRCC, All are forced to live in a Involuntary Servitude Cell designed for long term punishment. Having less than 24 square feet of movement space (walking type) and toilets with no hids less than 2 feet from primitive designed Beds.
27. Both the W of S and convicted persons get the "Base minimum clothing Allowed by a mature society at this time" NO T-shirts, NO Rain proof clothing, NO gym shoes to Play Recreation in, NO winter Coats, ONLY 3 boxer shorts for a Year, ONLY 2 pairs of Socks for a year, NO Sea shading hat, NO winter Gloves, NO sweat top or bottom, NO Gym shorts, NO winter hat Some of this things ARE Allowed to be purchased off the monopoly Pen Community, But NO winter coats, gloves, shoes Are ever sold NOR Any Rain appropriate clothing for the weather.
28. The next set of facts will be used about convicted felons at BMRCC, the W of S at BMRCC, other types of detainees and facts about Involuntary Servitude

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#### IV Facts (continued)

He allowed currently legal by way of the 13<sup>th</sup> Amendment And TVPA Trafficking Victims Protection Act of 2000 that has statutory Congressional facts made toward Involuntary Servitude.

I will quote from TVPA § 7101 et. seq. to draw Cf to convicts in Involuntary, w of S who are NOT suppose to be in it. And the Security Arbitrary reasons used for even Pre-trial Criminal Detainees. This is done to compare & contrast (Cf) the facts. Quotes from TVPA may to Cf put in gaps to the whole Quote and replace with [w of S] in parts of it. to show the factual truth of what is occurring

29. State pay for Unassigned and Job Assignment for General ~~Assigned~~ and w of S are the SAME Involuntary ~~labor/service paid~~ servitude pay ranging from \$13 a month to \$35 a month At BMRCC

30. But currently w of S get discriminated for higher paying Job Assignments Arbitrary based on their mental illness and or developmental disability And mental disorder status

31. BMRCC receives Federal money some grant and state money of over \$34,000 A year to proper

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#### IV Facts (continued)

Care and rehabilitative treatment and to safely keep

32.) The Job Assignments are essential to BMCC running. They include law library clerks, dietary, janitors, maintenance of building and outside area, Live-in Aids, Garbage collection to name some. All these jobs should be offered to willing and able w of S as employment not as NO offer of them or as only hiring paying involuntary servitude status of a convict.

33. TVPA § 2102 Definitions (1)(B) ~~Severe~~ Severe forms of Trafficking in Persons, the recruitment, harboring, transportation, provision, or obtaining of a person for labor or SERVICES, through ... for the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery.

34. To above ~~Prisoners~~ Convicts at BMCC get this okay condition because of the 13<sup>th</sup> Amendment allowing it as punishment of a person to be chattered as human property service of getting Federal and State money while paying out State pay as a slave (cf. w of S this is

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#### IV Facts (continued)

illegal, Abuse of the Law, false imprisonment [not legal detention] because it is done AS A Involuntary servitude chattel person ~~being~~ diminished to only property status, including State may NOT AS an employee.

35. Statutory fact to support Abuse fact for W of S NOT convicted person at BMCC TVPA § 7101 (b) Findings (10) notes "Trafficking Also involves violations of other laws including labor ... And laws against ... slavery, false imprisonment ... And extortion."

36. Statutory fact about the Facility commissary at BMCC towards W of S support the extortion laws (tort) being broke And TVPA § 7101 (b) Findings (12) "Trafficking in Persons Substantially Affects interstate And foreign Commerce. Trafficking for such purposes as involuntary servitude, peonage, And other forms of forced labor has An impact on the Nation-wide employment network And labor market. Within the context of slavery, servitude, And labor OR Services which are obtained or maintained through coercive conduct that amounts to A



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#### IV Facts (continued)

Condition of servitude victims are subjected to a range of violations..."

37. Again for CF IDA's BMRC contains criminally convicted chattel human being property allowed to be subjected to slavery/Involuntary servitude as punishment and WOTS who are NOT suppose to be part of that group IDA's and BMRC policies support TVPA § 7101 findings (b)(12) above as does the below facts towards WOTS being victims as does John Howard report (all exhibits.)

38. ILCS, Illinois Criminal Law and Procedure, 730 ILCS 5/3-7-2a is Corrections (meaning) IDA Article 7 facilities commissaries is 5/3-7-2a Allows convicts and WOTS illegally to be extorted to pay for hygiene and extra food, medical medicine needs, and mental health things and clothing. For example toothbrushes, toothpaste (quality), dental Floss, socks, underwear, ~~DE~~ T-Shirts, gym shorts, sweat tops and bolton's, the soap policies have changed, shower shoes, Extra nutritional food because IDA BMRC does not allow an inmate to openly bring food back from dietary



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#### IV Facts (continued)

Unless Arbitrary discretion of Staff by giving them a tray. NO form of Tylenol is sold to save Food for proper consumption later for health reasons. (more facts later)

40. Under 730 ILCS 5/3-B Adult Institutions & Procedures used for both the chattel human property convicts and Wots at BMCC 5/3-B-3 Program Assignments
- (a) Work, education and other program Assignments shall be made in so far as practicable in accordance with the Social evaluation.
- (b) The Director shall establish procedures for making and reviewing program Assignments.

41. Cf for Wots and convicts at IDCC "BMCC They are treated the same to these terms, but (Should not be;) 730 ILCS 5/3-1 Definitions 5/3-1-1 "meanings of words and Phrases" ... have the meanings designated in this Article except when a particular context clearly requires a different meaning. 5/3-1-2 Definitions (c) ... however a committed person shall NOT be considered to be an Employee of the DOTC for Any

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#### IV Facts

Purpose, including eligibility for a pension, benefits, or any OTHER compensation or Rights or privileges which may be provided to employees of the Department. This (c) is the defining of Slave/Involuntary Servitude to State Pay for INDC's BMCC "connected" persons both Civil w/ot S A Illegality done And Criminal.

SDPA mandates A different meaning for employee

42. Cf to contrast facilities for the Adjudicated Under Mental Health and Developmental Disabilities 405 ILCS 5/1-129 defines Mentally Illness ... "means A Mental or emotional disorder ... OR Abnormally manifested only by repeated criminal or otherwise Antisocial conduct."

405 ILCS 5/2-100 Article F Rights (a) "NO Recipient of Services shall be deprived of any rights, benefits, or privileges GUARANTEED by LAW, the Constitution ...

405 ILCS 5/2-106 Labor sections state are wage and employment Acts apply And Fair minimum wage must Apply to the mentally ill or mentally Developmental disability.

43. Cf the last 10-12 stated facts. The 13th Amendment Allows Slavery/Involuntary Servitude AS

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#### IV Facts

43.  
cont.

Paragraph After Only A Duly conviction  
TUPA findings Note All the Harm caused  
by Involuntary Servitude to the Person  
And to the welfare of the Public see fact 36  
About TUPA. AND NOTE The Appare stated  
in the 2000 year law was part of TUPA  
§ 7101 (a) purpose ... Are to combat trafficking  
in persons, A contemporary manifestation of  
Slavery. UNDER Congressional Finding in 2006  
(4) "Trafficking in persons Also occurs within  
the borders of A Country, including the  
United States." [W of S at BMCC] should  
be added to this AS to the Finding section  
of 2003 (1) Trafficking in Persons continues  
to victimize [mentally ill W of S at BMCC]  
countless men ... in the United States ... "

Under Findings (b) of 2000 (4) Traffickers  
Primary target [W of S at BMCC mentally ill]  
who are Disproportionately Affected by  
Poverty, lack of access to education,  
chronic unemployment, discrimination, And  
lack of economic opportunities in countries  
of origin" ... (5) goes on to state what  
FPOC policies mostly do All the time.  
"Traffickers often transport victims [W of S]

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#### IV Facts

42 cat. from their home communities to unfamiliar destinations ... Away from Family and Friends ... And other source of protection and support, leaving the victims defenseless and vulnerable."

43. TIPA for WOTS at BMRCC finding (7)  
Traffickers often make representation to their victims that physical harm may occur to them ... should they attempt to escape ..."

IPDC policy and BMRCC is to shoot the person Challenged convict or WOTS who is a Noncriminal Under the SDPA. BMRCC does nothing to physically identify one group from the other.

These next set of facts further explain the Statutory difference between the WOTS of the State At BMRCC and the Convicts.

44. Section 8 of the SDPA is clear on A SET ASIDE Facility done with the Utmost relationship of Guardianship - WARD (see Attachment exhibit) Cf with the Criminal Code to Corrections

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#### IV Facts

45. Cf "Imprisonment" 730 ILCS 5/5-1-10 means "incarceration in a correctional Institution under a sentence of imprisonment."
46. Convicted persons in custody are "sentence" 5/5-1-19 is "the disposition imposed by the Court on a Convicted defendant."
47. 730 ILCS 5/5-1-5 "conviction" means "A Judgment of conviction or sentence entered upon a plea of Guilty or upon a verdict or finding of guilty of An Offense ..."
48. 730 ILCS 5/5-1-15 offense "means conduct for which a sentence to a term of imprisonment ... is provided by law of this state ..."
50. So As to the 13<sup>th</sup> Amendment Illinois defines how it practice Correction Department are set-up for there to be chattel Involuntary Servitude for incarceration to facilities and policies of Imprisonment. The convicted persons in custody. And both 730 ILCS 5/5-1-1 meanings of words and phrases And 730 ILCS 5/3-1-1 meanings of words and phrases have

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#### IV Facts

50.  
cont.

the exact same definition which notes when the context of applying then MUST be different.

51.

The W of S of the State is exactly one of those requiring a different meaning to then then regular Insolvency Service committed person. Section 8 of the SOPA MANDATES it.

52.

The terms employee, employment have the traditional meaning that should apply for the W of S. They are not sentenced because of a conviction, a finding of guilt of an offense in a court, after a trial for that matter. Cf. as while 735 ILCS 5/3-1-2 (c) lack of employee status for a convicted a W of S does not lose the employee true meaning.

53.

736 ILCS 5/3-2-3 (b) speaks to the Director of IDOC Duty to Establish Divisions within the Department ... by laws of this State.

The SOPA explicitly requires a Division like the Women's Division or Juvenile Division.

The words ~~Guarantee~~ - WARD An SET ASIDE facility carry that meaning.



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54. UNDER 730 ILCS 5/3-2-2 Powers and Duties of the Department (1)(d) "To develop and maintain programs of control, Rehabilitation, and Employment of convicted persons within its institutions
55. Cf for its Involuntary Servitude convicts they have service/Labor state pay for Unassigned and Job Assignments.  
For the WotS they have None other than the Same Involuntary Servitude State Pay done under scheme and coercion.
56. UNDER 730 ILCS 5/3 2.5-20 (a) (3) The Director is to identify the need for and recommend the funding for juvenile programs Cf with what should be occurring for WotS under SOOT section 8
57. UNDER 730 ILCS 5/3-6-2 "... A Chief Administrative Officer [Warden] shall be responsible for All persons Assigned to the Institution or Facility ... shall Administer the programs of the Department for the Custody And TREATMENT of such persons."

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58. UNDER 130 ILCS 5/3-6-2(b) "The CAO [warden] shall have such assistants as the Department may assign."

59. UNDER 130 ILCS 5/3-6-1-(b) "The types, number and population of institutions and facilities shall be determined by the needs of committed persons for treatment and the public for protection." It is clear that the SDPA section mandates a different type of facility for its wards under a guardianship than the Involuntary Servitude Imprisoned under the 13<sup>th</sup> Amendment and Illinois criminal sentencing.

60. Some basic rights, human rights. Factually taken away to all inmates, persons in custody at JAIL BMCC whether a W of S or convict have under a master to slave / Involuntary Servitude System NOT Master to Servant of employment  
Follows:

61. Forced to buy and use identification pass or blue pass of same design but water washable. These pass are as pointed as regular

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### III Facts

Standard medium pointed Bic type Pen.  
But are much harder to write with because  
of thickness and firmness of Pen.

They have less ink and are used more for  
A Master to Sign / Involuntary Signature  
~~etc~~ It makes it harder to write, be educated,  
Access to the courts etc.

62. TVPA talks to simple things that add  
up to UNJUST coercion in Findings  
of Law [fact] § 7101 (b)(13)

63. Another policy [totally discretionary] is  
bringing back food from dietary given you  
to eat. Policy rules do not allow it unless  
Any Staff member tells you it is okay  
~~by~~ OR A Tray is given to you at your  
Living cells for that purpose. That is  
Strictly A. psychological Master to  
Involuntary Servitude coercion

64. The above fact is so noted that many states  
~~the Federal Gov~~ including Illinois, the Federal  
Government, (thru 18 § 2243) make it a crime  
for a Correctional Staff officer to have consulting

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#### IV Facts

Sex with a prisoner. The Fundamental Reasoning behind these laws is the same. The relationship between the Correctional Officer and prisoner is coercive. The 9<sup>th</sup> circuit in civil actions brought off the 8<sup>th</sup> Amendment cruel and unusual punishment stated the Court assumes that a prisoner cannot consent unless the officers agree otherwise. *Woods v Beaulieu* 692 F.3d 1041 (9<sup>th</sup> Cir 2012)

65. This whole idea is based off a master / to slave or master / servant how much rights a chattel person gets taken away. All or dispropor to only an allowed public policy need consideration. Prison officials are actually get away with common tort violations based on the "whole" discretionary function exception which is the definition one who is enslaved by another having a master control over another human being.

*Keller v United States* 771 F.3d 1021 (7<sup>th</sup> Cir 2014)  
Negligent carelessness ARE NOT covered by discretionary function exception as it involves no element of choice or judgment grounded in public policy considerations. This is important judicial fact.

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66. Cf And while the subject of WofS whom are suppose to be in A Set Aside facility for sex offending treatment, Romantic Intimate Relationships is the best treatment for Any WofS seeking a person who can give legal consent As it is for even the convicts of sex offenders under the law.

67. ~~66~~ The section 3 of ~~SDA~~ SDPA refers to SCMB4 that must be followed. The SCMB4 wrote Title 20<sup>1</sup> <sup>code</sup> policy [509] which must be followed for any sex offender under its IDA criminal code Definition is IDA. When possible Romantic Intimate including sex or less is the Best Dynamic treatment risk lowering factor that can be used. This is NOT a Discretionary Function exception, But All Defendants currently withhold this from WofS And some of the convicts who would fall under 730 ILCS 5/1-1 definitions for that treatment

68. Withholding of Romantic intimate relationship to WofS can be agree as a Hate crime under Illinois law based off Illinois 720 ILCS 5/12-6(1)(2)(~~3~~), (~~4~~), (~~5~~), (~~6~~), (~~7~~), (~~8~~) \* And the sexual orientation

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68. cont. of the Gay or Bisexual W of S and convicted sex offenders at BMRCC And/or the mental disabilities.

69. Under 720 ILCS 5/12-6 Intimidation ...

"without lawful Authority" (b) take action as a public official Against Anyone or Anything, OR (Withhold official Action) or cause such Action or Withholding ...

"A person commits intimidation when with intent to cause another to perform OR to OMIT the Performance of Any Act ..."

takes with Mandatory Policy of treatment for sex offenders including especially W of S [policy 1509 Title 20 1509 to Romantic Intimacy Relationship is An Overt Act of Omitting the require Performance of Treatment for A sex offender or Normal Person

70. Factually other courts convicted of sex offense should be allowed to have sex/romantic relationships at BMRCC the Policy mandates it with consenting W of S there. Key word is Consenting. The Correctional officer to coercive master/slave relationship does <sup>NOT</sup> exist



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#### IV Facts of other Coercion

71. This goes in Part to WofS Cf with convicted felons to Mail And Phone restrictions. Violation of the 1<sup>st</sup> Amendment And other Federal, State, Local Laws.
72. For convicted felons held in Involuntary servitude the Discretion function police exist under Illinois 730 ILCS. Cf WofS ARE NOT by the 13<sup>th</sup> Amendment And the SDPA itself suppose to <sup>NOT</sup> be subjected to the Arbitrary Involuntary servitude denial or depriving of rights.
73. Mail restriction of 730 ILCS 5/3-8-7.5 explicitly state Any victim of the inmate or family member let IDA know its does not want to correspond with the inmate And under (c) The State Attorney Administrative Duty to do so in Assisting A victim. This Actively holds for both WofS under SDPA And Contracts.
74. No person exists that for WofS to have their mail intercepted with by BRCC staff whether legal or not. Staff at BRCC have No legitimate reason to open Any incoming mail or read Any outgoing mail or

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#### IV Facts

Deny Saturday Delivery or mailing to a WotS; or Any day use of the mail by UPS or Fedex. IDOX and BMACC disprove this right AS Slave like oppression Coercion. Allow for the daily convicted. Illegal for the WotS.

75. The Phone system And lack of Free Access to Phone that have NO special calling notification acceptance is evidently proof the Facility At BMACC is NOT A set aside Facility. Absolutely NO Security reason exists for a WotS to be denied the 1<sup>st</sup> Amendment right to call Any person, or Business, or government Agency to get help or complete A Business transaction based on Involuntary Servitude Policies. Instead of Individual Petitions.
76. TUPA § 7101 talks to findings of fact how traffickers take away Support to their victims (b)(5) and substantially Affect Commerce (b)(12)
77. TUPA § 7101 (b)(1b) notes "... interference Against traffickers is Also hindered by
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#### IV Facts

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cont.

official indifference, by corruption, and sometimes even by official participation in trafficking."

78. Historically, this has happened to WofS in IDOC because 1.) the SDPA started off a penal statute trying to expand lesser mental illness into its facilities for the mentally ill convicted & in 1938 2.) In 1963 its purpose became NON-Criminal NON-punitive supposedly NON-Involuntary Servitude but NO official State Attorney who used it chose to enforce IDOC to follow the purpose 3.) So few WofS are arbitrary chosen and exist c/f to the number of persons convicted of crimes NO one really took notice. 4.) Factually for WofS the average length of incarceration is 18 years. This number is lowly skewed because a dead WofS is taken out of the average. 5.) TVPA notes § 7101 in its Findings this how traffickers hide their victims from the public too

79. But a brave, bold news reporter in MAX Green  
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#### IV Facts

in 2019 wrote an article about a wolf  
79 cont. At BMCC who had no background to even  
fit the Definitional elements of a SDP  
called Never sentenced, Never Released  
He noted how the State Attorney and  
IDC staff preyed upon his Developmental  
Disability and mental illness

80. This started a dialog Among a group of  
people to Acknowledge that IDC BMCC  
Staff are Wrong AS in the SDPA itself.

81. MAX Green who wrote the original Article "36  
years in an Illinois Prison without a conviction  
or sentence" had PBS branch pick-up the  
story further "Never sentenced, Never Released".  
It contains Actual transcripts from the  
ORAL Argument used in the Only Case  
About the SDPA to make it to U.S. Supreme  
Court. The 5-4 decision was primarily based  
on A Set Aside facility existing that was  
A Non-prison, non-criminal treatment  
center, Not an IDC typical facility for  
Designed for Punishment. That was the Assistant  
Attorney General of Illinois discussed Purpose

Adamczyk S.D. Fed. Court of Ill.

#### IV Facts.

81. Factually at Menards that true treatment facility set aside never existed, currently at BMCC Wots are more Arbitrarily denied rights based off a Slave Discretionary System than they were at Menards in 1986
82. <sup>For instance,</sup> Dayroom hours lack of; At one point Wots had when treatment staff were here at BMCC Access to the Dayroom during those hours. Providing new-holders Monday thru Friday 8am to 2:30pm. But for the night Dayroom were Arbitrarily forced to abide by the current schedule of 1 1/2 hours only between 9am and 11pm.
83. Dayroom hours ARE SO Arbitrary Discretion of the Warden Office. Two Prisoners, CC, labeled a medium security can get a variance of hours between 3 to 8 a day. Cf with Ohio Correction Center being Maximum Security giving 14 hours of Access to the Dayroom.
- NO Logic Safety Security or Other Reason exist for the justification. Other than the Traditional Master/Slave manifestation of Slave
- page 31 of

Adamczyk S.D. Fed. Court of Ill.

#### IV Facts

83. Which whole irrationally, illegally, permit  
cont. was based on those people need to be treated  
that way to keep them in line too.

84. Cf of convict to wot's for purposes of  
The 13<sup>th</sup> Amendment. Fact stated in Court  
Decisions "... on the subject of the Protection  
Afforded by the 13<sup>th</sup> Amendment has no bearing  
on the legality of the imprisonment of  
persons duly convicted of a crime; such  
persons are explicitly excepted from the  
Amendment coverage [citing *U.S. ex rel Smith  
v Dowd* 271 F.2d 292 (7<sup>th</sup> Cir 1959)] from  
*Johnson v. Heine* 355 F.2d 129 (1966).

Further CASE law of Delicish Notice Facts

State: "... Johnson and Wyatt cases are the MOST  
Apposite cases... but only rely upon them as  
support for our conclusion that the 13<sup>th</sup> Amendment  
has applicability in the mental health institution  
context. ~~and~~ And the plaintiffs may prove sufficient  
facts to prove a violation of The 13<sup>th</sup> Amendment."  
*Dowd v. U.S. Dept. of Public Welfare* 368 F.Supp. 454 (1971)

85. Cf the policies under Title 20 for corrections  
based off 730 ILCS corrections about how much



Adamczyk S.D. Fed. Court of Ill.

#### IV Facts

85. Discretion A WARDEN, Staff should have  
toward CONVICTS with Cf W of S where  
use of it should be used to deny rights  
or discharged unless based off individual  
reasons to each W of S. NO Group of Individuals  
get their 1<sup>st</sup> Amendment Any Bill of Rights  
denied Unless Duty criminal convicted for  
the duration and level W of S do at BMCC

86. Factually the Arbitrary Discretion is Against  
Public Policy and Law to W of S at BMCC  
by All Staff of IAC failing to Utilize the  
least restrictive Alternative. This goes to  
dayroom, outside time allowed, Use of the  
Law Library, Use of word processors, giving  
out Pain and Cold over the counter medication,  
transport to Court or other Writs and meeting  
needs of prolect by mail delivery.  
Cf for the Convict its discretion AS A  
MASTER to Slave Usually gets upheld in Court  
even with Public Policy

87. These Next group of Facts ARE presented to  
the Federal Court to show A set of facts

Adamczyk S-D-Fed. Court of Ill.

#### IV Facts

87. exist not only to the initial claims  
cat. but also exist to the standard reply by  
Defendants Attorneys NOT understanding  
the Laws Application to convicts vs Wolf  
or Alton Parns Patrie group
88. These facts are based off a Appositive Alton  
Court Decision from Federal Court. Noting  
Administrative Courts [the SDCA creates a State  
circuit Court of criminal trial into an  
Administrative Court At Only the State Attorney  
of that County] create an affirmative duty  
to those they Adjudicate for And as does the  
whole detention process of that individual  
(cf Santiago et al v City of Philadelphia et al  
435 F. Supp. 136 (1977))
- The Biggest difference in this lawsuit are Claims  
of Constitutional violations exist to the 13<sup>th</sup>  
Amendment And 14<sup>th</sup> Amendment are the only two  
Similar Bill of Rights violations. This lawsuit  
uses the 1<sup>st</sup> And 9<sup>th</sup> Amendment; cf Santiago uses  
the 8<sup>th</sup> Amendment as does this lawsuit

89. Differences between Santiago And this Claim  
most All my claims are for tort civil penalty

Adamczyk S.D. Fed. Court of Ill.

#### IV Facts

89. based off illegal Activity of All Defendants  
cont. from Federal Law TVPA § 7101 et seq.,  
18 § 1595, 18 § 1590, 18 § 1593(A), 18 § 1589,  
based off 18 § 1595 civil Remedies.

Santiago CF was off State tort Law And  
Constitutional Federal Chans. I seek to  
Address the State Law tort violations in  
State Court AS Illinois Uses Very similar  
Code of civil procedure but also different enough  
to justify keeping them separate to protect  
my rights. Things like factual specific  
pleadings in Answer, right to respeculants  
in Discovery to name a few.

18 § 1595 And TVPA was not Available for  
Santiago to use in 1977.

90. These noticed facts do exist from Santiago  
that are factually Applicable to this lawsuit  
The Santiago lawsuit named All Staff at the  
Facility as Defendants for Damages because the  
Allegation Abuse in the lawsuit of practice by  
these defendant was good enough to get more  
discovery to prove it.

91. This lawsuit factual true Allegation is All Staff  
page 35 of

Adamczyk S.D. Fed Court of Ill.

#### IV Facts

91. of IDA at BMRC and Wexford Staff at BMRC; 1) Have, had an Affirmative Duty to Report Acts of Neglect by Care, unneeded pain suffering by any staff, or Facility Physical designs example cells as used for residential housing of WOTS. And neglect treatment, and clothes
- 92) 2) All Staff illegally participated in following any and all the Involuntary policies used on the convicted population, but illegally used on the WOTS adjudicated with mental illnesses. This especially goes to IDA treatment staff and Wexford medical staff
93. ID Santiago at 155 (D.) discusses the legal theory behind their factual statements. I believe my lawsuit is actually stronger Alleged based off Federal Statutes off the 18 § 1595 claim to civil remedy.
- 94) This goes to the fact that my 42 § 2000d claim to the declaratory judgment part ~~is~~ could possibility be dismissed ~~be~~ without prejudice because I did not file a complaint with the Federal agency first. But I did so at
- page 36 of

Adamczyk S.D. Fed Court of Ill.

### III Facts

94. 3 separate occasions request my self-appointed Guardian ad litem in my case the State Attorney of DuPage County to Address the Horrific Detention issues At BMRCC for me And All wards of the State. To me they are the specific State Agency responsible to see I Am NOT MIS cared, mis treated in the State institution.
95. But As far As Damages AN exhaustion of remedies to the past serves no purpose in requiring the Federal Agency to get IDA' BMRCC to be in compliance with the Federal law. I did nothing to slow down the filing for damages. It was other State Agencies that prolonged the Damage Award And claims Amounts.
96. The Reality of this lawsuit is very similar to Santiago that Ultimately Respondent Superior the State of Illinois, IDA Agency, County State Attorney Agency will pay out the monetary damages. "Respondent Superior is A deliberate Allocation of risk by which the Costs Arising from ~~individual~~ Anticipated harm to

Adamczyk S.D. Fed. Court of Ill.

#### IV Facts

96. In recent incidents caused by Actions  
cont. of employees are borne by employer.  
This is reasonable since the employer, rather  
than the injured party, is in a<sup>b</sup> better position  
to absorb the cost, insure against them  
and distribute the cost to Society."  
ID Santiago at 148 B.

97. And the State Agencies Under Illinois Law  
are also in better position to sue its  
employees to recover the damages.  
Santiago also notes Respondent Superior  
has been used in itself to protect individual  
rights from Abuse by repositories of  
State Power. This goes to part of the  
10<sup>th</sup> Amendment Constitutional Violation  
Along with Federal TUPA Abuse of Law  
Claims ID Santiago at 147-148

98. TUPA § 7102 "Definitions (1) Abuse or threatened  
Abuse of law or legal process ... means the  
use or threatened use of law or legal process  
whether administrative, civil, or criminal, in  
any manner or for any purpose for which  
the law was NOT designed, in order to



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#### IV Facts

98. exert pressure on another person to cause  
cont. that person to take some action or refrain  
from taking some action."

99. TUPA § 7102<sup>(b)</sup> findings" (1b) In some Countries [U.S.]  
enforcement against traffickers is also hindered  
by Official Indifference, by Corruption, And  
Sometimes even by Official participation in  
Trafficking!"

100. TUPA § 7102(3) under definition "Coercion"  
" means (B) Any scheme, plan, or pattern intended  
to cause a person to believe that failure to  
perform an Act would result in serious harm ...  
or (C) the Abuse or threatened Abuse of the  
legal process.

101. All Staff At BMCC Are part thru Active or  
official indifference NOT reporting Abuse and  
Neglect Part of Abuse of the law (SOPT)

102. Some Staff Abuse the process and are more  
Coercive by Abuse IDOC policies with  
Threats of segregation, withholding treatments  
And other things And by actually doing it.

Adamczyk S.D. Fed. Court of Ill.

#### IV Facts

102 Wexford medical staff benefits by pay off their dealings with the WofS yet treat them as chattel human property to forcing unnecessary pain and suffering to medical care. For instance WofS old and incapable of cutting their toe nails infected with Fungus are left to suffer, Herdaches are never dealt with right away so a mental ill person has to suffer the pain, cold medicine never dealt with right away, As with tissue to even blow your nose (Index passes out only one roll of toilet paper a week rough kind) Yet Wexford has staff 24/7 at Brock their policies and staff indifference to WofS ~~pain~~ physical pain occurs on a daily bases. Acts of omission to the bad clothes, extreme heat of cells also proves their participation in Involuntary Servitude under 18 § 1390, 18 § 158, and others, 18 § 1961 et seq

103 Examples of Index staff at Springfield the Grievance Review Board ignores the Law, Abuse the law with Grievances filed by WofS taking away 1<sup>st</sup> Amendment rights to grievance as a class (see exhibits) And factually

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Adamczyk S.D. ~~Dist~~ Fed. Court of Ill.

#### IV Facts

103. the need to investigate themselves that WARDs are held in Involuntary Servitude as the convicted Chattel property.  
See exhibits.
104. Even the public relations person has an Affirmative Duty under the SUSA to tell the public there are in a set aside facility not a Slave Correction Center. That different ID<sup>us</sup> exist for a Wots. That person fails at their duty.
105. Factual Judicial Notice goes to support above facts from 2 U.S. Supreme Court Cases that address how specific expectations to Liberty and Property — And duties to perform can exist based off State Statute or Policy. The State Statute or Policy by these cases Apply the General Due Process clause to Privileges and Immunities but made by explicit expectations Specific
106. Cf the above to claims under the 13<sup>th</sup>, 15<sup>th</sup>, 9<sup>th</sup>, 1<sup>st</sup> Amendment more and 5<sup>th</sup> specific constitution procedural process of Privileges (Rights).

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S.D. Fed. Court of Ill.

IV Facts

107. In Wilkinson v Austin 545 U.S. 209 (2005):

"A Liberty [or property] interest may arise from the Constitution itself, by reason of Guarantees implicit in the word Liberty ... or it may arise from an Expectation or Interest created by state Laws or Policies [citing Wolt v McDonnell 418 U.S. 539 (1974)]"

Id Wilkinson at 221-222

~~108.~~

108. The other U.S. Supreme Court cases talk about

Affirmative Action Arises by State Laws because Certain Special Relationships by State Agency or State are created from;

"... from the limitations which it has imposed on his [Wolt's] freedom to act on his own behalf, through imprisonment, institutionalization, or other similar restraint of personal Liberty." Underholding (b) At Id Deshaney At 1000

Deshaney v Winnebago County DSS 69 S.Ct. 998 (1999)

109. SDPA creates a sharp expectation to the safe keeping of a convict when under 730 ILCS 5/3 corrections Sentencing And Imprisonment Laws The SDPA creates the utmost Special Relationship

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S.D. Fed. Court of Ill.

## IV Facts

3-1-19

109.  
cont.

The Corrections 730 ILCS 5/~~DATA~~ create ones for the imprisoned to be treated like chattel slaves losing rights and disparaging them. Getting the minimum allowed by the current native society because of punishment.

110.

The SDPA statute disavows punishment criminal responsibility when the State Attorney County Agent makes that Administrative decision. It is supposed to be nonpunitive, noncriminal manner is offering care, treatment, and safe keeping. Cf with The sentenced under 730 ILCS 5/5 - c/sq. and 5/3-1 thru 19 where a person is Involuntary Servitude / Slave Chattel piece of human property.

111.

The "Facility" is Statutory required to be a set aside one as are all staff dealing mandated by statute a fiduciary duty exist not Master to Slave of convicted and sentenced but Guardian - WARD

112.

The SDPA has explicit expectation of an Attorney Appointed in all proceedings under the sections of SDPA Section 2 Acknowledges commitment ~~to~~ proceedings and detention ones.



Adamczyk S.D. Fed. Court of Ill.

### ~~III~~ Facts

113. To to factual Chattel Slave Policies of IDU's BMRCC, the Plaintiff claims these categories are being wrongfully done to him and all Wots.
- (1) Inadequate residential living house issues, e.g. cell, size, heating and cooling;
  - (2) General onerous BMRCC Rules e.g. Int wearing, bringing food out of Dining, time of meals, walking in lines;
  - (3) Improper Suppression of Liberty. e.g. dayroom hours, recreation hours, outside hours, Use of gym, use of yard, Phone, mail, Use of commissary, Use of mail order for Commerce;
  - (4) Denial of Non Chattel employment and discrimination in Job Assignments;
  - (5) denial of Adequate educational and treatment services to medical, mental health, and SPMBA;
  - (6) Inadequate Clothing provided, given out or even Allowed to buy;
  - (7) Solitary confinement issues;
  - (8) Unjust enrichment off a 4720 of State making them buy basic minimum levels to medicine, hygiene, clothes, mental health products and extra food to supplement a diet;
  - (9) USC ~~etc~~ Using least restrictive Use of Handcuffs and other restraints



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### IV Facts

114. One of the expectations and Affirmative Duty created by imprisonment and/or institutionalization is Prose filers, Non-Attorney get, must Get less stringent standards in Pleading the complaint.
- "... A prose complaint however wanttfully pleaded ~~and~~ must be held to less stringent standards than formal pleadings drafted by lawyers And can only be dismissed for failure to state a claim if it appears beyond Doubt that the plaintiff can prove no set of facts in support of his claim which would entitle him to relief."

Estelle v Gamble 97 sct. 285 (1976) at 292  
Known as the Haines test based off Conley v Gibson 355 U.S. 41 (1957)

115. Illinois Court of Claims Act takes Sovereign Immunity Away from State Agencies, the State for monetary damages off False Imprisonment, breach of Contract (The SOPA marches to its wars) And other reasons. Therefore Respondent Superior can Apply to the IDOL for Constitutional or tort Federal Claims.

#### IV Facts

115  
cont.

More FactuRL Proof for Naming All Staff  
And IDoc Agency (Department) being  
Responsible. UNDER Illinois Criminal Code  
Speaking Directly to IDoc (where Wots are put)  
730 ILCS 5/3-2-2 Powers And Duties of  
the Department. No particular staff member is  
named, but the Department itself has  
Numerous Duties And Powers.

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S.D. Fed. Court of Ill.

Exhaustion Remedies (Not applicable <sup>but</sup> talked to

116. I have tried to bring to the Attention of the illegal Activity towards me and the other W of S to over 50 Staff of IDIU and many more work for Staff. They refuse to ~~ack~~ acknowledge the fact that false Imprisonment because it is done under IDIU Policies for daily Criminal conviction exists. Part of being subjected to Involuntary Servitude is the people involved actively participating for financial gains there are not even Addressing the fact it exist

Under 18 § 1595 civil Remedy to Federal tort violations of TURA Ch-78 § 7101 et seq. And 18 § 1590, 18 § 158 18 § 158 , 18 § 158

An exhaustion of a remedy would be just expected. AS well AS to Constitutional Claims to the 1<sup>st</sup>, 5<sup>th</sup>, 10<sup>th</sup>, 9<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup>

A new heart, A person trying to get out of the Involuntary Servitude by definition the perpetrators would not allow any fair Grievance to take Place.

Adamczyk S.D. Fed. Court of Ill.

### Exhaustion Remarks

117. I tried on 3 separate occasions it not more bring up the subject with the County State Attorney to the Detention Problems seeking that Administrative Agency to Address the issue. They never replied.
118. To 28 § 1331, 42 § 1994, 18 § 1595,  
I will offer as proof that the Grievance system itself is a slave only one. They do not allow a class of persons to file grievances together. Do not allow even their policies to compete themselves to due process of witnesses.
119. Never the less biggest proof IAC Staff ~~is~~ involved with the Grievance system is At AMCC and and IAC review they Admitt Facility placement is Non-Grievable Supporting the fact to a facility set aside mandate by statute is violated as is the claims stated by the Plaintiff  
See exhibits
120. Further Fact the PLRA exhaustion of Remedies  
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Adameczyk S.D. Fed. Court of Ill.

### Exhaustion of Remedies

120. only Applies to criminal pre-trial detainees  
cont. And prisoners duly criminal convicted persons  
its Exhaustion Remedies are NOT needed  
even in 42 § 1983 claims

121. Facts to support above. (1) Immigration Detainees  
Do not have to follow PLRA exhaustion Remedies  
they are NOT prisoners under PLRA. or even pre-trial  
criminal detainees. (2) Neither are WotS  
The purpose of Act is to hold them NOT  
criminally Responsible (3) Detain for treatment  
only ~~last~~ as in a noncriminal manner.  
(4) The Criminal prosecution was at the  
County State Attorney discretion, therefore  
the filing of a 42 § 1983 is akin to a  
person filing after being freed from a  
prison. (5) The Statute never intended them  
to file thru a Prisoner Grievance System  
by design to be a denial of certain rights  
and coercive itself

122. Nothing in this section endorses the idea  
that for 42 § 1983 or 42 § 1983 claim a  
noncriminal person must use the Chattel prisoner  
Grievance system (only one at Bruce)

Adamczyk S.D. Federal Court of Illinois

## V Claims I

122. Civil Remedies UNDER 18 § 1595 (a) "AN individual who is A victim of A violation of this chapter may bring A civil Action Against the Perpetrator (or whoever knowingly benefits, financially or by receiving Anything of value from participation in A venture . . . .) in An appropriate district court of the United States And may recover damages And reasonable Attorneys fees.

All defendants thru Actions And in Actions were perpetrator And/or knowingly financially benefited 18 § 241 Conspiracy Against rights. ~~As~~ makes it one possible way to show how the Broad range of Defendants named Are liable under 18 § 1595. That coupled with A class Action motion. This goes especially to Loxford Health (Source A) Respondent Superior And its Assigned Staff At BMCC who work there. The Defendants fall under 18 § 241 by their occupational dealings with wards of the State whom Are entitled to Utmost Care.

1592 + 18 § 1595

123. 18 § ~~1889~~ Also is A Federal Question of civil Remedy that falls under 18 § 1595 chapter violation Section (a) includes All ways of being involved by knowledge Abuse of workers, transports, recruits provide or Obtain by Any means for Labor or Services."



Adamczyk

S.D. Federal Court of ILL.

## IV claims I

123. The Service of being Chattel human property for  
costs. IAD to AF BMR to get over \$34,000 per head  
of inmate, person in custody, Allows All  
staff to benefit financially.

" 18 § 1590 (b) whoever obstructs, attempts to  
obstruct or in any way interferes with  
or prevents the enforcement this section shall  
be subject to the penalties under subsection (a)"

~~For~~ For purposes of civil remedy  
18 § 1595 this expands the staff who can

A) A state official and individuals play  
a role in the illegal text common law of  
Peonage, slavery & involuntary servitude or  
forced labor under 18 § 1590

## V CLAIM II

124. VITA 18 § 1595 civil remedy uses 18 § 1589

" Forced Labor with or without 18 § 241

(a) whoever knowingly provides or obtains the  
labor or services of a person by any one of,  
or by any combination of ...

(1) by means of force, threats of force, physical  
restraint or threats of physical restraint

(2) by means of serious harm ...

(3) by means of the ABUSE or threatened  
Abuse of the Law or legal Process

Adamczyk S.D. Fed. Court of Ill.

## IV Claims II

124. (4) by means of any scheme, plan, or pattern  
cont. intended to cause ... would suffer serious harm  
or physical restraint

(b) whenever knowingly benefits, financially or  
by receiving anything of value ...

All Staff at BMCC and IDCC collect wages  
at the Slavery, Peonage System by abuse of  
the law knowingly the SDPA, made w of S  
DSC put their for Peonage reasons.

(c) (1) defines "abuse of law or legal process"

" (c) (2) The term serious harm means any  
harm whether physical or non-physical  
including psychological, financial,  
or reputational harm.

The list of things done by Welford and  
BMCC staff against the mental traumatized  
w of S would fill w of pages. But here are  
a few. Physical abuse of pain by hand-cuffing.

Name calling by staff done for psychological  
and reputational harm and to degrade the person

X punishing mentally ill person and developmental  
disturbances without the process of their own  
polices and against people who cannot comprehend  
their method, taunting food that they get  
from dietary at the expense of the w of S  
welford delay pain medicines Page 51 of

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S.D. Fed. Court of Ill.

## II Claims II

124. Wexford staff refusing to ~~prop~~ ~~pro~~ quickly  
 cont. relieve pain of A Wots to headaches,  
 cold, Flu, Allergies symptoms relief with  
 Over the counter medicine.

Wexford staff ignoring wounds, healthcare  
 issues to lack of proper shelter, clothing  
 provided by their contractor IDx at Bmcc  
 for Wots.

## II Claim III

125. TVPA<sup>22</sup> § 2101 et seq. to add Statutory  
 Facts, And use itself for Appointment  
 of U.S. Attorney General by court  
 for this civil prosecution if the  
 State Attorney can by Agencies / Guardian  
 Ad-Litem refuse to do so.

See motion for appointment of counsel  
 TVPA § 2101 et seq. is meant to be used  
 Also with 18 § 1595 it is allowed for  
 such purposes.

## II Claim IV

126. VIA 18 § 1595 <sup>under</sup> ~~with~~ 18 § 1592 Staff at Bmcc  
 use IDx policies to extort the ~~one~~ getting  
 of government identification documents, birth certificates,  
 Social Security, Jordan's refuse to even get them

Adamczyk S.D. Fed. Court of ILL.

## IV Claims IV

126. That, hold them from WofS without these  
 cont. permission. This staff does are to obtain  
 the needed Documents. This includes staff that  
 deals with Trust Fund Account of holding of money  
 who also fall under 18 § 1540, 15 § 1589, will or without <sup>12 § 241</sup>

### All Claims Additional facts

127. All the claims incorporate all the Facts stated  
 From 1-thru 121 in support.

Some specific ones show the Director and his  
 staff Breach of Duties to WofS

The WARDEN and his staff Breach of Duties to WofS  
 Westford Health Service and their BMCC Staff  
 Breach of Duties.

128. All Defendants participate in Abuse of the law  
 in relationship that WofS ~~ARE~~ ARE NOT to ~~be~~  
 be handled, dealt with, the same way AS  
 A convicted felon at BMCC who AS  
 punishment get Peonage, Slavery, Involuntary  
 Servitude Allowed.

Adamczyk S.D. Fed. Court of ILL.

## IV Claim IV

129. By Jurisdiction 13 § 1595, 24 § 1331, Violation of Supreme Law of Land 13<sup>th</sup> Amendment And/or 42 § 1994, And 13 § 1581, with or w/o 13 § 241

130. The 13<sup>th</sup> Amendment is the most specific procedural Constitution Guarantee to people in the United States. Cf to The General Due process gives All people in the United States to the 14<sup>th</sup> Amendment.

Slavery Or Involuntary Servitude is NOT Allowed unless A duly conviction of A crime for punishment

All Defendants violate this basic civil Rights to the Plaintiff and the class of WotS under both the SDPA who are suppose to be detained not incarcerated in IDoc<sup>1</sup> BMCC. (basic criminal Law) A Facility set aside for different reasons of treatment NOT punitive, vindictive punishment.

All Defendants are Abusing the Supreme Law of the Land 13<sup>th</sup> Amendment in relationship to WotS. The Gross Negligence by All Defendants Shows An Objective Deliberate Indifference to basic rights Any person has instead of Chattel Slave property only rights

Adamczyk S.D. Federal Court of IL.

## II claim II

13D. IOD policies And Staff use of them  
cont. offer proof of Subjective And Objective  
Deliberate Indifference towards the mentally ill  
And Developmental Disability (mentally handicapped)  
placed at IOD's BRCC for treatment, NOT  
Resident

13E

## II Claims VI

13E. All Defendants "respectively as to  
the people," under the color of State Law  
Are Prohibited by the SDPA, and 13<sup>th</sup> Amendment  
to AS individuals or/and State Officials  
to enslave or Involuntary Servitude another  
person. The power to do so is both Prohibited  
by the State Law, SDPA, which places the w of S  
Plaintiff into treatment Detention, And the Supreme Law  
13<sup>th</sup> Amendment procedural requirement of  
Legal Slavey or Involuntary Servitude.

The Power of Master - Slave All Defendants  
use over to humiliate, degrade, physically, financially  
psychological harm, <sup>all</sup> serious harms,  
for their financial own benefit or personal distorted  
way to self-inflate their own ego is NOT



Adams v. S.D. Federal Court of Ill.

## II Claim II

131. NOT Allowed Under the 15<sup>th</sup> Amendment  
 cont. All Defendants Actions And Omissions to Act  
 Amount to objective Deliberate Indifference  
 and <sup>objective</sup> subjective to Abuse of Power in  
 their Job Duties towards Plaintiff Rights.
132. The Indifference of letting other Staff  
 Abuse the mentally Handicapped Placed in their  
 safe keeping, care, and treatment is gross  
 negligence itself to Abuse of "Powers to  
 the people" from the 15<sup>th</sup> Amendment
133. At All times All Defendants Knew Affirmative  
 Duties existed for the W of S, mental  
 Handicapped at the State Institution because  
 it housed Both Convicted felons and SDP,  
 W of S. The Power to intervene existed  
 but All Defendants were Deliberate Indifferent  
 to do it.
- Thru 28 § 1333 with 18 § 1581, 18 § 1595, 18 § 1589  
 or under a different analysis 42 § 1994 <sup>penalty</sup>, 42 § 1983 <sup>civil penalty</sup>  
 NO set aside facility exist physically nor  
 policies. To 18 § 1961-1968 To 18 § 1951 Racketeer  
 To MAIL Fraud, To wire Fraud

Adamczyk S.W. Fed. Court of Ill.

134. ~~IV~~ For Claims ~~III~~ MORE Factint Support  
more Facts for All claims to show the level  
of gross negligence of Deliberate Indifference by  
All Defendants but especially to prevent  
Due process violations to 8<sup>th</sup> Amendment and 1<sup>st</sup>  
or ~~the~~ using the 13<sup>th</sup> Amendment to Incorporate  
Specific Slave type other Amendment Denied  
or discharged under the same Theory to the  
14<sup>th</sup> but Strasser Use of it right NOT to take  
Away. (4<sup>th</sup> Amendment privacy issues)

135. All Defendants know or should know, but  
At BMCC know the WofS since 2004  
where celled in separate wings from the  
CONVICTS AT BMCC. Currently WofS have  
2 of the 17 available male cell house wings  
At the Facility.

136. BMCC Staff know they are <sup>WofS</sup> indefinitely Detained  
Not criminally sentenced for incarceration.

137. All WofS are detained by having a mental illness  
All staff at BMCC especially Wekford know  
A higher % of the WofS take psychotropic medications  
for their mental illness as part of treatment than  
the criminally convicted.

Adamczyk S.D. Federal Court of ILL.

#### IV for Claims more Facts

138. All Staff especially workford Staff knows that the mentally ill wofs are given inadequate clothes, see there were holey t-shirts, ~~Foot~~ extreme dirt clothes, no socks, holes and mold on their underwear is physical exams required each year. Yet refuse to speak out to this
139. It is illegal for any person to be denied meals Dietary as disciplinary reasons or not but Correctional Officers routinely <sup>to the</sup> ~~mening~~ <sup>grasp</sup> ~~it~~ <sup>while</sup> deny the wofs because of their mental illness meals without no request to easier alternatives as they do for convicted felons
140. The policy of even forcing a wofs to get up and be ready for breakfast ~~at~~ between 4:30 am and 5:30 am OR miss it shows how much ~~gross~~ gross negligence and Deliberate Indifference occurs towards wofs
141. " 730 ILCS 5/3-7-2 (d) All institutions and facilities of the Department shall provide every convicted persons with a wholesome and nutritional diet at regularly scheduled hours..."  
" 730 ILCS 5/3-8-7 Disciplinary Procedures

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## IV For chains more Facts

141  
cont.

(b)(1) Corporal punishment and Disciplinary Restrictions on Diet, medicine, or sanitary facilities, mail or Access to legal material. Are prohibited."

Yet numerous times Wots Are Denied Dietary meals for speaking for themselves or others, for being late out of cell to a chow line, for manifestations of their mental illness. Staff at BMCC Do this without total disregard for the mentally ill person and their rights and the law. While it may not occur everyday, It occurs at All is wrong.

142

Factually to see part of the tie to the School District Staff at BMCC and Springfield hired by the State. BMCC Law library is part of the School District and is the same building for education from the School District Staff There are over 50 computers in the same building having word processing capacity yet NO Access is granted for legal filing to use them. The most basic of things the School District has to use is denied for NO persons other than the Thatel Shavey Policy at BMCC being illegally used on WOs. Criminally convicted. Wots to use word processors for legal work/that may work

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IV For Claims more Facts

143. Use only of GED, instead basic High school completion And/or special education At IDOC BMCC And/or Access to post education Colleges for Plaintiff(s) further establishes the school staff participation in Violations of laws And Constitutional Rights
144. The Treatment staff does not even follow their own mandated SOMBA Title 20 code 1905 rules for best treatment methods - This with their Acts of omissions to proper care provide proof of how bad it is for the Plaintiff(s)
145. The Southern District Federal Court has Already NOTED IDOC, BMCC, And treatment staff Fall far short of offering bare minimum amounts of therapy And kinds of treatment modalities.

§ Claim VII 18 § 1595 or 42 § 1983

- 146 Under The 8<sup>th</sup> Amendment, 14<sup>th</sup> Amendment And/or 13<sup>th</sup> Amendment, 10<sup>th</sup> Amendment, 9<sup>th</sup> Amendment certain rights NOT mentioned the following violations of them Amount to cruel And work form of punishment Used for Disciplinary reasons toward mentally ill or developmental Disability persons Plaintiff class Action. Understanding sometimes Discipline may be needed.

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VI Claim VII

146

Applying Disciplinary reasons Arbitrary And wrongly to A mentally ill And/or Developmental Disability person. Specific examples denial of dietary needs, Allowing UNSANITARY cells, clothes to exist because of following the Chattel Slave person policies or even ignoring them too. Staff using A Punishment to deny ~~care~~ put A WOLF on Commissary or Any restriction ~~without~~ ignoring the WOLF And mental illness makes it cruel And worth punishment Violating 8<sup>th</sup> Amendment These goes especially to the Correctional Officers Staff At BMCC. They Act in their state official capacity Under the color of Law, Abusing the SOPA And 13<sup>th</sup> Amendment itself And in their individual capacity to be cruel to A Mentally Handicapped person by punishing without even knowing the complete history of the person or their Unique needs and issues of mental illness.

147.

Factually it is A person some C.O. Staff refuse to be Assigned to the 2 wings of cell, WOLF housing knowing IDex training is far to inadequate for those decisions, ~~the treatment~~



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### IV Claim VII

148. In dictary W of S are forced to eat in sections away from the convicts most of the time, but this does not get them any more basic human rights to time to eat, ~~but~~ more consideration in appropriate diets, or allow them to bring food back to eat later, yet clerics always get food to bring back later to eat from Wexford Staff.

149. The Chattel Slave policies are another example of cruel and unusual punishment for a W of S in violation of 8th Amendment. Factually the Job Assignment convicted slaves get more food usually than even the NONCRIMINAL W of S and more ~~th~~ time to eat. The convicted felons get higher slave wage Job Assignments than W of S.

150. The Treatment Staff, Wexford Staff hunt and conspire together to hunt W of S by their statement to C.O. Staff about the specific or group of W of S. And All Defendants by Acts of omission in working together for the utmost safe keeping, care, and treatment. This includes IDIX Administrators lacking policy.

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## IV Claim VIII (8)

151 Violations of the 1<sup>st</sup> Amendment ~~are~~ occur by all defendants primary based on the lack to freely associate within the facility, outside the facility thru phone or mail; within and outside the facility for treatment staff best suited to treat. These Administrators and Hiring staff have cause their own issues to hiring by using the color of State law, Federal law, to abuse the law towards WOTS. Hired staff for treatment quit knowing this violates basic mental health and medical treatment principles. Therefore turnover is extremely high. Most social treatment staff reject job offer after seeing abuse towards WOTS, mental ill persons noting an abuse of the legal process must be occurring. They choose not to participate as a government employee to the indifference of the Executive Service for WOTS at BMCC.

152 Factual proof that used video treatment staff to supplement the ~~mental~~ medical treatment needs with specialist. As does the mental health with psychiatrists to video session

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## V Claim VIII (a)

151. Violations of 1<sup>st</sup> Amendment occur to freely Associate by All Defendants within the facility and outside the facility. This directly hurts the CARE and Treatment of the Plaintiff(s)
152. Within the facility, Best treatment calls for romantic intimate relationships when possible
153. There are over 1500 inmates with potential to give consent to having this kind of benefitting treatment. DMREC has no policy set up for this to occur. A High percentage of convicted inmates are in need of sex offender treatment themselves
154. Employment for the Plaintiffs as employees is a actually policy statement under 730 ILCS Corrections, but it is ignored by DMREC staff
155. Dietary needs for the Plaintiffs which the 7<sup>th</sup> Circuit has already stated are entitled to more considered methods of meeting their needs could be done within DMREC own kitchens including more time to eat, eating at better food and more and better food, and food allowed back to cell.

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## IV Claim III (3)

156. Dayroom Access for At least 14 hours a day, Access to the Library for everyday is easily done. These are things the 7th circuit stated Plaintiff(s) have rights too in a broad sense As is Access to Word Processors, regular pens And other CIL Amendment "certain rights" Some may seem trivial but the Accumulation of each is daunting especially for me A person with a Developmental Disability to writing without A Word Processor. The Deshaun case states Affirmative Duties exist because of the SOFA special relationships to getting what the Affirmative case need more considerable than a Criminal court.

157. Outside the facility NO Person for WOTS Plaintiff, exist to restrict mail by reading it NOR Phones by a Person functional use. In fact State Attorney Are suppose to as part of their Administrative functions Under 735 ILCS resolve these issues before Any person gets to IDOC.

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IV Claim VIII (8)

158. Factual proof to the Sex offender treatment program being so poorly Administered. They do not take advantage of Video conferencing to use in treatment. While in person is the best, to use Video treatment staff for individual meeting or groups is far better to nothing. This goes to using a personal computer for each wotS in combination.
159. Westford Health Staff uses A lot of medical Specialist ~~to~~ by Video conference to treat specific illnesses As well as taking to outside persons.
160. Ince mental Health uses ~~the~~ VIDEO Specialist too. At BMECC Psychiatrist are used to prescribe mental Health medicine if needed And for therapy sometimes.
161. Ince uses the excuse that it hard to hire treatment staff. This is A denial And distortion to facts.
162. Most trained, well trained mental Health professional know the care offered At BMECC is far short needed for Any treatment to designed to work for most of the wotS.

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Claim VIII (B)

162. So after researching the facility do not apply or quickly ~~decide~~ decide to withdraw their application. This happens especially after a tour of BMCRC seeing crimes may be occurring towards WOLS. The statute SDPA requires CARE & Treatment designed for Recovery.
163. Others who get hired quickly quit or stay with the intention for a period to build up a resume for a "better job" one that does not violate the law and especially the mental health professional ethics. Even IDOC BMCRC mental health staff turnover at a high rate based off this fact.
169. The Above 1<sup>st</sup> Amendment violation is from an civil remedy under 18 § 1595, with or without 18 § 241, 18 § 1581, 18 § 1589, 18 § 1592, 18 § 1590, 18 § 1951 in violation of the 13<sup>th</sup> Amendment by Acts of omission (cf) to convicts staff All defendants work ~~with~~ with at facilities to freely associate for purposes of commerce, to grievances/Advocate, treatment, Friends/Family,



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## IV Claim IX (9)

164 18 § 1995 gives civil remedy that needs to be proved by a preponderance of the evidence to all tort claims from Chapter 18 criminal law. All defendants by 18 § 241 ~~and~~ with 18 § 1951 or by only 18 § 1951 violate the Plaintiffs "right to be free from" Racketeering. IDCC staff set up policies to facilities commissary and the mail and phone chattel ~~and~~ disparaging of these rights. DMCC has a commissary and phones and a mailroom and multiple spots to drop off Commerce. All staff including Lextford know of these things (including vending <sup>on</sup> site machines they can access or freely order food from the outside of this facility.) Lextford to ~~moderate~~ over the center.

Racketeering is defined as "Interference with commerce by threats or violence" which under "(a) whenever in ANY way or degree obstructs, delays, or affects Commerce or the movement of ANY Article or Commodity in Commerce, by robbery or extortion or attempts or conspires so to do, ..."

18 § 1951 (b) (2) "The term extortion means the obtaining of property from another

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## IV (Claim IX (9) continued

116 with his consent, induced by wrongful use  
 117 of Actual or threatened force, violence, or  
 118 fear, or UNDER color of official right."

119 All defendants use fear and some actual or  
 120 threatened force. All certainly wrongly use  
 121 color of official right by IDOC staff that  
 122 is Plaintiffs are in a Fiduciary Guardian-ward  
 123 relationship, but IDOC and BMCC staff, we know  
 124 use the Master-Slave same as convicted felons.  
 125 We know staff too use the system down least  
 126 bare minimum of Master/servant instead of  
 127 utmost medical care done quick as possible  
 128 to common pain problems of headaches, cold, flu.

This claim extends to interference by withholding  
 129 taking legal copy and legal filing fees by IDOC  
 130 staff at BMCC, taking money from their trust  
 131 fund, That taking of money <sup>that</sup> IDOC by  
 132 JDA is required to pay as Guardian, greatly  
 133 interferes with Plaintiffs right to commerce  
 134 as does the delay in even paying State pay wages  
 135 of a slave that all Plaintiff get for the service  
 136 of being confined at BMCC. ~~137~~ <sup>2 weeks or</sup> ~~138~~ <sup>longer</sup>

The Defendants could easily accommodate for the  
 139 W of S, Plaintiffs, to buying goods by phone and mail  
 140 and credit, but choose NOT TO do it

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IV Claim ~~IX~~ (Ten) (As Alternative Possibility)

166 42 § 1983 Allows Every Person to file for  
 A deprivation of rights allowed by the 1<sup>st</sup>, 4<sup>th</sup>,  
 5<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup> Amendments  
 All defendants with or without 42 § 1985(2)(3)  
 by Acts of Omission or Acts of Oppression  
 Activity done Use the Chattel facility  
 and Chattel facilities policies ~~Do~~ made for  
 Chattel punished persons in Insulting Servitude.  
 Instead of A Set Aside facilities. the Plaintiffs  
 are required to have for treatment and care  
 And to safely keep

Even though the Plaintiffs suffer from mental  
 Disabilities of an mental illness or developmental  
 disability. They too are an Every Person  
 entitled not to have so many deprivations of rights  
 as the Chattel persons in IDOC

This claim is A General one to talk to 4<sup>th</sup>  
 Amendment right to privacy vs (Cf) the Discretionary  
 convicted Chattel person

167 The 5<sup>th</sup> Amendment right to having property vs  
 (Cf) the Discretionary Master to slave ones in  
 use at BMECC goes to inadequate shelter.

168 Even the right to use, own, A regular pen that  
 falls under the 4<sup>th</sup> Amendment is taken away  
 from ~~the~~ ~~to~~ ~~at~~

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## IV Claim X (Ten)

168  
cont It is not trivial when disabilities exist to write with in the first place. Coupled with the extortion of even having to buy segregation Pass in the first place

169 The 7<sup>th</sup> Amendment right to freely be able to sue and 11<sup>th</sup> Amendment right to sue the State gets wrongly hindered but can be overcome because of the ① confinement, ② But worse wrongly Imprisoned incarceration that Defendants subject Plaintiffs to by not paying filing fees upfront, Telling Courts they are NOT Prisoners. These Acts of Omissions offer the proof of Deliberate Indifference from the start to violating so many other basic, vested, civil rights. It is Gross Negligence on All Defendants Parts

170 The State of Illinois is liable for False Imprisonment which All Claims amount to under its incarceration of Plaintiffs instead of a community like detention facility Courts of Claims mandates payment by the state in ~~both~~ - The Current Detention has been in a facility designed and used for imprisonment, incarceration NOT a treatment and care set aside facility.

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IV Claim X continued X(Ten)

- 171 The fact this gross negligence of a "Division" "Set Aside facility" has existed always for the Wots, Plaintiff(s) of the class action some of who were held in Eagle Imprisonment incarceration for Over 30+ years shows how the State Agency IDIX and Wextford Health Source Inc. are part of the lawsuit and deserve to bear the weight of paying compensatory, nominal and punitive damages.

V Claim XI

- 172 42 § 1983 and/or 18 § 1595 with exch/ conspiracy parts 42 § 1985(2)(3) or/and 18 § 24 with or w/o because All Defendants violate Plaintiff(s) right to the ADA 42 § 12101 et seq. education section, employment Discrimination 42 § 12112 and 42 § 12111 Definitions AND Discrimination part 42 § 12132 and Definitions 42 § 12131, by hiring Practices and more.

This claim too is based off all facts that show section 8 of the SDPA is violated by acts and acts of omission to a "facility set aside" "IDOC" and "Bureau" and Wextford policies are for designed for bare minimum chattel valued persons



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## IV Claims XI continued

who arbitrarily lose benefits, services, programs of public Federal and State Public Agencies because the punitive Chattel persons get lost. These 9<sup>th</sup> Amendment "certain rights" excluded or disparaged to hurt a human being especially with disabilities to begin and the 14<sup>th</sup> Amendment ~~from~~ equal rights to privileges are outright denied to the Plaintiff(s) class

173 The Fact Plaintiff(s) are all mentally disabilities Court Administered as such but get a ~~new~~ committed status as a New-Employee for loss of privileges of it, but get state pay for their Chattel Warehouse services money they bring into IDOC, DMRC and used by Week End is the strongest proof of violations that are rampant, grossly negligence, and Deliberate indifference. This involuntary Servitude Archival practice Proves a violation is occurring.

The Department of Correction own Criminal Code 730 ILCS 5/3-1-1 says apply sentenced, imprisoned, definitions ~~when~~ when a statute says otherwise cannot occur.

174 The fact because WOTS, Plaintiffs, mental Disabilities  
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## V Claims VI

174.  
Cont.

Not A Duly criminal conviction, the Defendant's All Discriminate in hiring practices. It in fact is Disparate Impact Against the Plaintiff(s) class violating 42 § 12112 (A)(b). Who's could be hired by Defendant

## Sub Claim XI

175

Separate Part of Claim goes to Definition within 42 § 12131 And All Defendant's Acts of omission coupled with Section 9 of SDPA that allows recovery to continue in a total community settings And That Section 8 of SDPA mandates A facility set aside designed for recovery.

176

That facility should be as close to a complete community setting as possible to affording a person all available, services, programs because of their disability, all ~~afford~~ the best treatment including housing designed for Romantic intimacy stays with or without sexual relationships with ~~or~~ new partners or old romances

This can be done much easier ~~than~~ to accommodate for the disabilities under ADA <sup>than</sup> reasons not to do it.

176

DLmaster v L.C. 527 U.S. 581 (1999) says the groundwork to access multiple Federal Agencies to help. Santiago v City of Philadelphia 433 F.Supp 136 (1977)

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Notes least restrictive setting community needs to be met. And 74 of

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## II claims II

~~IV Facts All claims based off~~

177

All the Claims are based off the fact All Defendants deal with the mentally handicapped wot S, Plaintiff class action in A imprisoned Master-slave / Involuntary Relationship.

Instead of A Statute ~~that~~ Fiduciary ~~or~~ Relationship of Guardian - Ward. This type of Relationship builds the Foundation for Facility Set Aside policies designed for Recovery

178

It also allows the ~~the~~ least restrictive treatment facility that is the most like A total community setting. That is the goal of the Statute Recovery or cure in the 1<sup>st</sup> place.

179

Employee status being A key to A total community setting under ADA for the vast range of Age, disabilities of the Plaintiff class Action.

180

Other than the right to Vote for the wot S Plaintiff(s) Iowa's Amec is nothing like A Facility Set Aside designed for Recovery but is An Archaic Involuntary Servitude facility Such facilities are known not to rehabilitate well At all for even NON-Disability persons.

## V Claims XII or Part of XI

- 130.1 To preserve this claim and emphasize that the Department of Corrections, Illinois, and Wexford Health Services Inc. named A Defendants And All Staff is based off 18 § 1595 civil remedy for violation of (RICO) Racketeer Influenced and Corrupt Organizations Act 18 § 1861-1968
- 130.2 Wexford is An organized Business And Is Department D.C. (Ill.) Under its own 730 ILCS 5/3-2-1 + 5/3-2-2 considers itself A Organization, An entity. Their Staff are part of the organizations. The Plaintiff claim states the Defendants work together to unlawfully Human traffic the WARDs of the State (The class of Plaintiffs) into Involuntary Servitude. The SDPA purpose was, is, Involuntary Treatment done in A NON Positive Manner. Not effective treatment done the Involuntary Servitude <sup>law.</sup>
- 130.3 The purpose of RICO was to stop organized groups or other groups involved in certain patterns of illicit conduct. It includes groups with organized crime elements. All defendants have in their current dealings with the Plaintiffs meet that criteria of extorting, denying things Against the WofS. They know or should A difference exist between and the convicts At BMRCC.

## IV Claims XIII

130.4 USING 18 § 1595 for civil Remedies of the Federal criminal code and the Mail Fraud Act under section 13 of Federal Law and Wire Fraud Act 18 § 1343 et. seq. Against All defendants in their official and individual capacity with 18 § 241 for a claim Against the Plaintiff(s) (class of plaintiffs). Part of IDex policies and staff use Intefar with mail on Saturday, being opened and read, requiring it to be open upon sealing (unless legal mail).

130.5 Phones and tablets have Access denied to freely communicate even to Doctors and medical advice, texttexts that would be far better than what on IDex Textnet staff. These practices hurt the Plaintiffs, are wrong Against the Plaintiffs as they are here under the Criminal Constitutional procedure that allows Arbitrary Discretionary loss of Rights. The 13<sup>th</sup> Amendment allows Involuntary Servitude as punishment after a duly conviction of a current criminal offense.

130.6 Most of the Arbitrarily Discretionary policies used Against even the convicted felons make no sense even courts are citizens who deserve A honest Healthcare and government

## IV claims B. XIII

180.7 But for the WOTS, Plaintiffs, who all Defendants are required to care and treat with the utmost Guardianship over them, the wrongs of Defendants hurts them the Plaintiffs financially, and mentally, and potential physically to getting medical treatment that is far better than wellfords.



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## VI Discussion of facts for Relief

195 The 13<sup>th</sup> Amendment is the most clearly established constitutional right to punishment after a duly criminal conviction. The Federal Statutes are even clear to what they mean by use of adjectives

196 The second question is would it clear that when contrasted with their conduct (lack of proper action) to a reasonable officer staff person that the conduct would be unlawful, wrong, in the situation he contrasted. Knowing his sentence was given or an indefinite detention or civil commitment not criminal trial or MANDATE Fiduciary Relationship of

Guardians - WARD of master/slave serve to overcome any immunity the Defendants claim. As does in this case Ignorance of the law is NOT an excuse or would be reasonable to use it.

Any denial of this only serves to prove it is an unreasonable answer to their conduct lack of knowledge. Their guess putting words in the same facility but separate cell wing, use of the word SDP is police news they know SDP<sup>us</sup>, words, exist. page 81 of



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## VII Prayer for Relief

197 Wherefore, Plaintiff (class of Plaintiffs) respectfully prays that this Court enter judgment granting Plaintiff:

198 A declaration that the Acts And Omissions of the Defendants violated the Plaintiff(s) rights under the Laws And Constitution of the United States as described herein

199 Issue A preliminary And permanent Injunction Against All Defendants by first moving the Plaintiff (the class of Plaintiffs) <sup>to</sup> set-aside facility with physical design for housing And policies to effect proper care And treatment for A WARD of the State. Things included employment, proper shelter, clothing issued, Free Access to mail And phone, Free Access to At least VIDEO Treatment, Free Access to Law Library, educational methods And All Levels, medical care of the utmost, Dietary basic needs met by ~~provision~~ <sup>at</sup> appropriate times of meals, time to eat, And Access to snacks, Access to recreation of gym, outside activities, And other gaming needs, Free Access to Commerce And to treatment specialist of a person choosing. Losing these privileges only by way of extensive reasons of Abuse toward sex offender.

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## VII Relief Requested continued

- 200 Compensatory Damages in the Amount Against each named State Agency Allowed under Illinois Law And to Welford Corporation fully noting all Defendants jointly and severally could have responsibility but under Respondent Superior the Employer is better situated to pay and recover the cost of paying \$450<sup>00</sup> per day capped at 14 years for whole amounts to false imprisonment, loss of employment.
- Any Nominal Damages
- 201- The nominal Damage of \$1 dollar for Constitutional violations based on official indifference of Official Acting Defendants, Their participation, And corruption of the ~~State~~ Agency <sup>and</sup> Corporat
- 202- Punitive Damages in the amount 100,000 from INOC State Agency per Plaintiff (around 158) And 100,000 from Welford Health Source Inc. per Plaintiff as ways to send a message to both to Never Again. Commit such things Against mental ill/Disability persons
- 203- Plaintiff(s) Also seek a Jury trial on all issues triable by Jury
- 204- Plaintiff(s) Also seek recovery of their cost in the Suit which include filing, copies, mailings, And Attorney
- 205- Any additional relief Court deems Just, proper, And equitable.

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## VII Relief Requested continued

205 -  
cont.

Under Just, proper and equitable  
The Court After trial or Settlement using  
explicitly 18 § 1593 and 18 § 3626 (a)

(i)(B)(i)(ii)(iii) possibility (c)

ORDER After a screening of all Plaintiffs  
whether any Assisted Living type community  
setting is needed for physical or mental illnesses/  
Disabilities issues for specific ones. Most  
can and will do well on their own if given  
help by State and Federal Agencies in getting  
started.

206

This type of Relief is more than Just, and  
proper given the SDPA Statute is A civil in  
Nature Statute. The SDPA Validity is Contingent  
upon the Detection NOT being breach to A  
Non Positive, Non Criminal facility place  
existing for treatment purpose only. (Harris Construct)

207

The U.S. Supreme Courts NOTES SDPA type civil in  
Nature Statute can Divested of it civil Detection  
Judgment purpose proving the Statute positive  
Statutory scheme is Positive In Effect.

11

The Court reasoned that Actual Conditions of confinement  
could divest A facially Valid Statute of its civil  
Label upon A showing by the clearest proof

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### VII Relief Requested cont.

207 that the Statutory scheme is positive in effect. "  
cont. Selig v Young 531 U.S. 250 (2001) at 259

208 Allen v. Illinois says the something and  
This case is about the SDPA Application to  
A person's 5<sup>th</sup> Amendment right to incrimination  
" Where a defendant has provided clearest proof that  
the the Statutory scheme is so positive either  
in purpose or effect it must be considered criminal... "  
Allen v Illinois 438 U.S. 106 S.Ct. 2988 (1998) at 2992

209 A 18 § 1595 civil remedy done for TVPA or  
18 § 1581 or 18 § 1589, or 18 § 1590 offers  
clear proof that SDPA effectively is Invalid

210 The filing is not Just a General Board 42 § 1983  
claim that talks about a sentence or conviction  
being Invalid by prosecutorial misconduct  
But is about a civil detention judgment  
that had nothing to do with criminal court  
responsibility to what was proved

211 A Civil tort common law Federal Adjudication to  
Answer Federal Questions of Law is perfect  
for Damages And release of the Plaintiffs

## VII Relief Requested

208 Another case that recognizes the SDPA civil in  
cont. ~~the~~ nature process, recognizes the SDPA  
is a Special legislative Statute and thus:  
~~CERTAIN ERRORS ARE~~

"... errors may be committed which will render  
the proceeding void."

People v ABNEY 232 N.E.2d 784 (1967) At 788

This goes to errors in carrying out the  
Statutory contract to the wots, Plaintiffs for  
A facility set aside

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### VII Relief Requested cont.

212 One it thru the Defendants own determination they find the SDPA effectively was made Invalid by their Actions they can settle giving the State Agency full chance of Asking Illinois Supreme Court Question of Law as it applies to the SDPA and Plaintiff(s) case.

213 In fact ANY Attorney Wexford or IDee representing them is required so as not to participate in the crimes the Plaintiff Alleges is occurring to Federal Criminal Code, but proof only to a preponderance of the evidence is a civil penalty Illinois Rule of Professional Conduct 2010 "Rule 1.2 (d) A lawyer shall not counsel a client to engage, or assist a client, in conduct that a lawyer knows is criminal (This under 18§ 1540, 1589, TUPA would make the lawyer liable for participating in a criminal action too) or 18§ 1951 -

214 But Rule 1.2(d)(2) gives A lawyer A chance to settle the issue ~~by~~ themselves by "or" Assist A client to make a good-faith effort to determine the validity, scope, meaning or Application of the law (SDPA)



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### VII. Relief requested

215 And in Illinois Attorneys in a case like this  
can get the Ultimate Question of Law Validity  
Address directly to the Illinois Supreme Court  
Under ~~301~~ Rule 301 by way of writ of  
prohibition or writ of mandamus

216 First, upon a physical inspection of BMRC  
Anyone would realize the Plaintiffs are Falsely  
imprisoned, incarcerated. The Allen Court said  
that would be illegal which it is.  
A writ of prohibition asking if the lower court  
Judgment ~~was~~ ended up exceeding its Jurisdiction  
or USurping the Jurisdiction. Prohibition occurs  
too because the Validity of the SDPA rest upon  
A civil detainee relationship NOT A master/slave  
Criminal incarceration.

217 OR A mandamus to Question if Any of the Federal  
Law violation Including the 13th Amendment  
Invalidate the SDPA effectively ~~shows~~ it  
effectively shown. Illinois Courts routinely  
use MANDAMUS AS the properly way to rule on  
A ~~Boarding~~ State Guardian Appointment being wrong  
to (conditions) of safe keeping.

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### VIII Relief Requested

- 218 Judicial economy actually works best when applied in this case saving any other further filings in the Federal Court And actually settlement reached by parties having a chance If the Defendants follow the Law And Rules of ~~conduct~~ Professional conduct and Act in Good faith.
- 219 The Plaintiff class is around 158 people some of it has served over ~~20 to 40~~ ~~lifetime sentence~~ of 40 years falsely imprisoned in FDOC. A larger amount of over 30 years. The Average amount of time of False Imprisonment is 18 years with the least amount of time being 5 years. The class of
- 220 Plaintiffs have suffered at the hands of the State Agency And Wexford Inc And All their Staff for over the course of those years Being released is Allowable because the SDPA statute itself has been made Invalid by the State in its effect
- 221 Damages Are allowed under Illinois Court of claims and the court could just order the class of Plaintiffs be moved

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## VII Relief Requested

222 to A facility set aside in IDOC designed for residential housing And IDOC would have to change All it policies or to Another State Agency already ~~equipt~~ set-up with rooms, apartments, and policies to allow free access of All rights.

223 But it would fall short of the equitable relief considering the 13 years of false imprisonment dealt with for most of wots, Plaintiffs losing hope they will ever know what liberty it like Any more. Having to existed in A cruel environment (but not unusual for A criminally convicted chatted person) for all those years. It would far short of being proper, And Just unless in the 13§ 1595 claim relief came with it.

224 The Federal Court needs to Answer All Federal Question of law under 28§ 1331 And if it wants Illinois Supreme Court to exhaust it remands to how to Answer themselves by asking Question of law about SDPA Statute And its State Agencies effectivly Invalidating it by Certified Questions of law to them.

Adamczyk S.D. Federal Court of Ill.

## VII Relief Requested cont.

- 225 Only Around 25% of Illinois State Attorney Counties have even invoked the use of the SOPA Mostly because they know its An arbitrary Application of law to take away A ~~new~~ person from a class of mentally ill <sup>And</sup> or disability Accused persons Liberty for an indefinite Detention. The SOPA statute has been in existence for over 84 years since 1938, been amended over 15 times, and only used by 1/4 of the State.
- 226 Some of the Plaintiffs are totally innocent of Any crime like myself, A large group would have gotten less than 5 years, others ~~would~~ may have gotten 30 years with a criminal trial But at least they would have gotten a sentence with ~~an~~ a parole and more opportunity even within IDA Involuntary Services Panel system. And still could get "manicured treatment" As part of their sentence. under Illinois law.
- 227 Sangamon County State Attorneys have put over 1/5 of the Plaintiffs into IDA even though their County is NO where the biggest in Population, but it is the County with the State government that makes laws

Adamsyle S.D. Federal Court of Ill.

### VII Relief Requested

220 Since they are the State Agency whom choose by choice to become the Administrative persons in charge of the oversight of the most wards of Illinois at BMCC, I wrote them a letter seeing if they would represent the Plaintiffs in a class action. As of yet no response at all. I wrote this letter to my county State Attorney as well as Jettawa County who has two wards and is the county with BMCC is it. No Response.

229 I filed in my committing County lawsuits against IDIC and ones against certain staff as well as Jettawa County. Six different Assistant Attorney Generals of Illinois failed to follow Illinois rules of Professional Conduct for Attorneys. I notified all of them of ~~the~~ Rule 1.2 (d).

230 Illinois Criminal Appellate defenders refused to become my Attorney because the case is way to complicated for a criminal lawyer to deal with hybrid type Law. They could not give it due diligence



Adamczyk S.D. Federal Court of ILL.

### III Relief Requested

231 An Appeal decision in a District Court is being written as to the Constitutional Question over 3 of them to the Validity of the Statute on its face. The Illinois Attorney General should have fought for a faster Decision noting it was Unconstitutional themselves.

232 The Article provided notes many Illinois Lawmakers felt the SDPA should be Repealed due to its Unconstitutional issues. But that has not occurred.

233 Many times for whatever reasons States hold on ~~to~~ to Unconstitutional Statutes. Illinois is doing that with the SDPA. Federal Courts have a strong duty to Uphold the Constitution and Federal Law for individuals the State chooses to Abuse toward them. Illinois has failed to fight for its mentally Handicapped. The Federal Court can correct that now by decided to punitive punish the State Agency IDOC and Wexford for its False Imprisonment Practice for its patients who are NOT to be treated as Chattel human warehoused property.

Respectfully, ~~James Adamczyk~~  
Laurence Adamczyk



VERIFICATION

I, Laurence Achmczyk, the undersigned, verify and state that:

1. I am the (Petitioner) Respondent) in the above captioned legal matter.
2. I have read the foregoing application and have knowledge of its contents;
3. Under penalties of perjury as provided by law I declare that the above information is true and correct. I understand that 28 U.S.C 1915(e)(2)(A) states that the court shall dismiss this case at any time if the court determines that my allegation of poverty is untrue. I certify that the statements set forth in the foregoing motion and this Verification are true and correct except as to matters therein states to be on information and belief and as to such matters I certify and the same to be true.

s: Jany Adamczyk

April 27, 2022

BMRCC Form Revised 2017

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Part 2  
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Admiral J.D. Fedent Court of Appeals  
Exhibit A

JUN 22 2021

Paying it AS it is part of A ADMINISTRATIVE  
PROCEEDING OF RECOVERY AND /or OTHER  
FROM THE SDPA REVIEW BOARD

Grievance #	14-6-21 / BMRC	Date:	6-4-21
Grievance #	76-5-21 / BMRC		5-21-21
Grievance #	24-6-21 / BMRC		6-7-21
Grievance #	6-6-21 / BMRC		6-1-21

All went to Grievance Officer and signed  
off by Chief Administrative Officer

They are from specific things but  
stem to the problem that NOT ALL  
COURT DECISIONS ARE FOLLOWED AT BMRC  
FOR THE WARDS. IDRC KNOWS  
THEY ARE WARDS. A LAYMAN TAKES  
THEIR CARE AND HANDLING MUST BE  
VERY DIFFERENT.

NO ONE personally came to me to  
try and rectify the problem.  
THE ADMINISTRATION AT BMRC SHOULD  
HAVE

ALL Please return  
copies of documents with your respect  
Lawrence Adamczyk Thank you  
PAGE A OF 2  
24312  
Jury Adamczyk

JUN 22 2021 RP

ADAMczyk S.D. Fed Court of ILL.  
Exhibit AADMINISTRATIVE  
REVIEW BOARD

Dear Administrator Review Board,

I am sending 4 different Grievances based ~~on~~ all on the fact IDOC IS breaching A Statutory required duty They know exist AS Already told by Court decisions. It is A Guardian - WARD Fiduciary legal duty.

Further in October of 2020 I sent A letter explaining to the Pubs coordinator for IDOC the Administration At BMECC And the ~~SD~~ Sex offender treatment Staff Are not in A required compliance of A State Law regarding the WARDs At BMECC.

~~XX~~ In cooperation of trying to resolve issues before they go to Court ~~X~~ who is responsible At Springfield IDOC to Alert BMECC Staff take multiple Court decision exist to Access to library paying legal copies, legal postage, treatment and care. The WARDen obviously At BMECC should be up on these things.

Here are the listed Grievances which I mailed together to save ~~to~~ me money (IDOC money they should be

PAGE B